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SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE BILL 7

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2001

AN ACT

RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION
COMMISSION DISTRICTS; ESTABLISHING PUBLIC REGULATION COMMISSION
DISTRICTS FOR THE ELECTION OF PUBLIC REGULATION COMMISSIONERS;
AMENDING, REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 8-7-4 NMSA 1978 (being Laws 1997,
Chapter 262, Section 4) is amended to read:

"8-7-4. ELECTION--VACANCY.--

A. Members of the public regulation commission
shall be elected for staggered four-year terms [~~provided that~~
~~commission members elected at the 1998 general election shall~~
~~classifiy themselves by lot so that two commission members shall~~
~~initially serve terms of two years and three commission members~~
~~shall serve terms of four years. Thereafter, all commission~~
~~members shall serve four year terms. After serving two terms,~~

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~~a commission member shall be ineligible to hold office as a
commission member until one full term has intervened]. A
person may not serve as commissioner for more than two
consecutive terms.~~

B. The governor shall by appointment fill vacancies
on the public regulation commission. ~~[All appointments]~~ An
appointment to fill [vacancies] a vacancy on the public
regulation commission shall be for a term ending on ~~[January 1~~
~~subsequent to]~~ December 31 after the next general election, at
which election a person shall be elected to fill any remainder
of the unexpired term.

C. An appointment to fill a vacancy on the public
regulation commission made before the general election of 2002
shall be made from the district as it was described in Laws
1997, Chapter 262, Sections 6 through 10. After the general
election of 2002, a vacancy shall be filled by appointment from
the district set out in Sections 8-7-6 through 8-7-10 NMSA
1978."

Section 2. Section 8-7-5 NMSA 1978 (being Laws 1997,
Chapter 262, Section 5) is amended to read:

"8-7-5. PRECINCTS.--

A. Designations and boundaries used in the Public
Regulation Commission Apportionment Act are those precinct
designations and boundaries established pursuant to the
Precinct ~~Boundary~~ Boundary Adjustment Act and revised and approved by
the secretary of state as of ~~[November 5, 1996]~~ August 31,

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2001.

B. A board of county commissioners shall not create any precinct that lies in more than one public regulation commission district [~~nor shall any board of county commissioners~~] and shall not divide any precinct so that the divided parts of the precinct are situated in two or more public regulation commission districts. Votes cast in [~~any general, primary or other~~] a statewide election from precincts created or divided in violation of this subsection are invalid and shall not be counted or canvassed."

Section 3. Section 8-7-6 NMSA 1978 (being Laws 1997, Chapter 262, Section 6) is repealed and a new Section 8-7-6 NMSA 1978 is enacted to read:

"8-7-6. [NEW MATERIAL] PUBLIC REGULATION COMMISSION DISTRICT ONE.--Public regulation commission district one is composed of Bernalillo county precincts 1, 4 through 18, 20 through 30, 39, 80 through 83, 85 through 87, 111 through 114, 120, 180 through 183, 185, 191 through 197, 244, 251 through 258, 271 through 275, 278, 281 through 287, 289 through 302, 304 through 308, 311 through 318, 321 through 323, 326 through 333, 341 through 347, 351 through 357, 371 through 375, 381 through 387, 400 through 447, 449 through 454, 461 through 466, 471 through 478, 480 through 500, 502 through 550, 560 through 566, 568, 569, 601 and 602."

Section 4. Section 8-7-7 NMSA 1978 (being Laws 1997, Chapter 262, Section 7) is repealed and a new Section 8-7-7

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NMSA 1978 is enacted to read:

"8-7-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION DISTRICT TWO.--Public regulation commission district two is composed of Chaves county; Curry county; De Baca county; Eddy county; Lea county; Lincoln county; Otero county; Quay county; Roosevelt county; Santa Fe county precincts 18, 19, 73, 84 and 85; and Torrance county precincts 5 through 7 and 11 through 13."

Section 5. Section 8-7-8 NMSA 1978 (being Laws 1997, Chapter 262, Section 8) is repealed and a new Section 8-7-8 NMSA 1978 is enacted to read:

"8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION DISTRICT THREE.--Public regulation commission district three is composed of Bernalillo county precincts 2, 3, 84, 89 and 567; Colfax county; Guadalupe county; Harding county; Los Alamos county; Mora county; Rio Arriba county precincts 1 through 20, 22, 23, 26, 27 and 30 through 41; San Miguel county; Sandoval county precincts 1 through 5, 7, 11 through 13, 16 through 18, 21 through 23, 28 through 51, 53 through 56, 58 through 64 and 67; and Santa Fe county precincts 1 through 17, 20 through 72, 74 through 83 and 86; Taos county; and Union county."

Section 6. Section 8-7-9 NMSA 1978 (being Laws 1997, Chapter 262, Section 9) is repealed and a new Section 8-7-9 NMSA 1978 is enacted to read:

"8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION DISTRICT FOUR.--Public regulation commission district four is

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composed of Bernalillo county precincts 31 through 38, 40 through 55, 61 through 67, 71, 72 and 88; Cibola county; McKinley county; Rio Arriba county precincts 24, 25 and 29; San Juan county; Sandoval county precincts 6, 8 through 10, 14, 15, 19, 20 and 24 through 27; Socorro county precinct 15; and Valencia county."

Section 7. Section 8-7-10 NMSA 1978 (being Laws 1997, Chapter 262, Section 10) is repealed and a new Section 8-7-10 NMSA 1978 is enacted to read:

"8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION DISTRICT FIVE.--Public regulation commission district five is composed of Bernalillo county precincts 73 through 77, 90 through 99, 101 through 107, 121 through 125, 131 through 133, 135, 150 through 154, 161 through 166, 184, 186, 187, 211, 212, 214 through 217, 221, 223 through 226, 241 through 243, 245, 246, 303, 358, 551 through 559, 571 and 573; Catron county; Dona Ana county; Grant county; Hidalgo county; Luna county; Sierra county; Socorro county precincts 1 through 14, 16 and 17; and Torrance county precincts 1 through 4 and 8 through 10."

Section 8. A new Section 8-7-11 NMSA 1978 is enacted to read:

"8-7-11. [NEW MATERIAL] ELECTION OF PUBLIC REGULATION COMMISSIONERS.--Commissioners for public regulation commission districts two, four and five shall be elected from the districts described in Sections 8-7-7, 8-7-9 and 8-7-10 NMSA

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1978 at the 2002 and subsequent general elections.

Commissioners for public regulation commission districts one and three shall be elected from the districts described in Sections 8-7-6 and 8-7-8 NMSA 1978 at the 2004 and subsequent general elections."

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